

From: Brandon Bass
To: Microsoft ATR
Date: 1/24/02 9:11pm
Subject: Microsoft Settlement

The proposed Microsoft settlement lacks teeth; it is, in effect, a forfeiture of the principles of the Sherman Act. While I advocate little punishment towards Microsoft - their sustained success is important to the emerging digital future -, it is absolutely imperative that competition be insulated from further anti-competitive practices. I believe it was Justice Oliver Holmes who observed that "antitrust laws protect competition, not competitors." That statement encompasses the danger that Microsoft presents to the U.S. economy and innovation. Through strong-arm and insidious tactics, the company has consistently destroyed any entity that develops a product that might benefit society. The company uses Windows to push Internet Explorer, and Internet Explorer to push MSN, and MSN to push Hotmail, and Hotmail to push .Net... As a consumer, I am afraid of a corporation that spreads both horizontally and vertically by using its currently held market position to crush those who innovate other markets. The longer you let an animal bite you, the harder it is to rein it in when it's grown fierce.

In short, I genuinely fear that letting Microsoft escape with little more than a slap on the wrist will not only fail to discourage them from their suspect business activities, but actually encourage them towards more dangerous behaviors that forestall the principles of a capitalist market.